

Town Board Minutes

Meeting No. 6

Special Meeting

February 25, 2002

Town Board Minutes

February 25, 2002

Meeting No. 6

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 25th day of February 2002, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
 MARK MONTOUR, COUNCIL MEMBER
 RONALD RUFFINO, COUNCIL MEMBER
 DONNA STEMPIAK, COUNCIL MEMBER
 JOHN GOBER, PLANNING BOARD MEMBER
 STANLEY KEYSA, PLANNING BOARD CHAIRMAN
 MICHAEL MYZKA, PLANNING BOARD MEMBER
 STEVEN SOCHA, PLANNING BOARD MEMBER

ABSENT: RICHARD ZARBO, COUNCIL MEMBER
 REBECCA ANDERSON, PLANNING BOARD MEMBER
 LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
 MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
 RICHARD SHERWOOD, TOWN ATTORNEY
 LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
 ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
RJF DEVELOPMENT, J. V. - CROSS CREEK COMMERCE PARK
REZONE**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the RJF Development, J.V. - Cross Creek Commerce Park zoning amendment petition matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:**

RESOLVED, that the matter of the State Environmental Quality Review of the RJF Development J. V. - Cross Creek Commerce Park Rezone Petition be tabled to permit the developer to submit additional documentation to the Municipal Review Committee (MRC) which will assist the MRC in completing Part 3 - Evaluation of the Importance of Impacts, after which the MRC will make its determination of significance and findings.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 128± acres.

The location of the premises being reviewed is situated at the north west corner of Pleasant View Drive and Pavement Road.

FINDINGS ON SIGNIFICANT IMPACTS ARE AS FOLLOWS:

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action may have a potentially large impact on the physical character of the project site.
 - a.) Construction on land where the depth to the water table is zero to four feet.
 - b.) Construction of paved parking area for approximately 3,800 vehicles.
 - c.) Construction that may continue for ten years.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
 - b) Total anticipated water usage of 100,000± gallons per day.
6. Drainage flow patterns or surface runoff may be largely impacted; this can be mitigated by project change.
7. The proposed action may have a large impact on air quality; this can be mitigated by project change.
 - a.) Upon completion of project, there could be 1,118 vehicle trips per hour.
 - b.) There will be an increase in the amount of land committed to industrial use.
8. The possible application of pesticide or herbicide for lawn care purposes may have a small to moderate impact on plants and animals.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.

It is noted that the project site has been previously removed from agricultural use; farming ceased in 1994 for a portion of the land and in 1996 for the remainder of the land. In 2001 the County of Erie removed this site from Agricultural District designation. Reference map & letter from Chet C. Jandzinski, Chief Planner, Department of Environment and Planning, County of Erie, dated May 16, 2001.
11. The proposed land use is obviously different from and in contrast to current surrounding land use patterns; this may contribute to a small to moderate impact on aesthetic resources.

12. The proposed action will not impact any site or structure of historic, pre-historic or palcontological importance. Refer to letter dated November 28, 2001 from Douglas P. Mackay, New York State Office of Parks, Recreation and Historic Preservation.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action has the potential for a large impact on existing transportation systems.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There may be a small to moderate impact on odors, noise, or vibration as a result of this proposed action.

Noise levels may exceed the ambient noise levels for outside structures during construction.
17. The proposed action will not affect public health and safety.
18. The proposed action may have a small to moderate affect on the character of the existing community.
 - a.) There may be a small change in the density of land use.
 - b.) A small increase in demand for Police and Fire services may be created.
 - c.) An increase in employment.
19. There is likely to be public controversy related to traffic concerns.

The question of the adoption of the foregoing was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT

The motion to table this matter was thereupon unanimously adopted.

February 25, 2002

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:

WHEREAS, the SEQR Municipal Review Committee (MRC) of the Town of Lancaster has previously recommended that the Town as lead agency extend the time for preparation and filing of an Final Environmental Impact Statement (FEIS) on the proposed development of the northeast corner of Transit Road and William Street to February 22, 2002, and

WHEREAS, the FEIS was not received by that date and the MRC now deems it appropriate to extend the time for submittal of the FEIS to March 1, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the time in which to prepare and file the FEIS with respect to the above referenced project for consideration by the MRC and the Town Board as lead agency shall be extended to March 1, 2002.

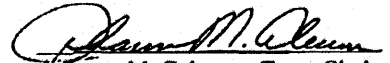
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA,	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT

February 25, 2002

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was
adjourned at 7:23 P.M.


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 7

Regular Meeting

February 25, 2002

Town Board Minutes

February 25, 2002

Meeting No. 6

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 25th day of February 2002 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
MARY ANN PERRELLO, DEPUTY TOWN CLERK

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBER RUFFINO by roll call vote, to deliberate in Executive Session for the announced purpose of discussing a discipline related personnel matter in the Historical Society and a potential contract between the Town of Lancaster and the Lancaster Central School District, resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

At 9:39 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Asked questions about the police merger.
- Requested more public hearings on the subject.

Chowanec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Comments about housing values in the region and the Town of Lancaster.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matter:

- Comments about property value.
- Requests that real estate assessments be reduced.

Juszczak, Joseph, 600 Pleasant View Drive, spoke to the Town Board on the following matter:

- Wants to know about department heads getting comp time.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

- Asked why the Town Board meeting was changed to today from last week.
- Requested a report from the Town Board on the Association of Towns' Annual Conference.
- Questions about Police workstations.
- Questions regarding the Lorall Lake fence resolution of Ferry Builders.
- Questions about study to be done by Fox & Company in regards to the police merger.
- Questions about rezoning and comments about the County authorizing development in Town of Lancaster with low water pressure.
- Wants Mr. Cipolla to donate land north of Genesee Street to Town of Lancaster.

Przybysz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- Wants the Town Board to say "no" to the developers.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Comments about FOIL requests, Stony Road culverts, Scajaquada Creek, holidays, snow, thaw, dates, winds, rain, major flooding, definition of flooding, water drains westward.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit for an auto glass retail business on premises locally known as 6509 Transit Road, Building H.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Leroy Sickau, Jr., President Expert Auto Glass		Proponent

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, on roll, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:34 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.
February 25, 2002.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Planning Board and the Town Board held February 4, 2002 and the Regular Meeting of the Town Board held on February 4, 2002 be and are hereby approved

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, RJF Development, J.V., 5653 Broadway, Lancaster, New York,
has requested the Town Board of the Town of Lancaster to accept work completed under a
Street Lighting Public Improvement within Parkedge Subdivision, Phase I, within the Town of
Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has
recommended the approval thereof, and

WHEREAS, the Town Attorney by letter to the Town Clerk dated February 4,
2002 has reported his favorable review of all necessary deeds, easements and documents
required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public
Improvement within Parkedge Subdivision, Phase I, be and is hereby approved and accepted by
the Town Board of the Town of Lancaster:

P.I.P. No. 506 - Street Lights
and,

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to
the New York State Electric & Gas Corporation with a request to energize the street lights
herein.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RPIP (P15)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Dana Warman, PO Box 365, Buffalo, New York 14213, has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement within Walnut Creek Subdivision, Phase II, Pt. III, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

WHEREAS, the Town Attorney by letter to the Town Clerk dated February 1, 2002 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Street Lighting Public Improvement within Walnut Creek Subdivision, Phase II, Pt. III, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 546 - Street Lights
and,

BE IT FURTHER

RESOLVED, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RPIP (P17)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated February 11, 2002, has requested the addition of the following individual to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department, the following individual:

ADDITION:

Jason P. Mucken
6351 Broadway
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

WHEREAS, Dana Warman, PO Box 865, Buffalo, New York, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Walnut Creek Subdivision, Phase II, Pt. IV, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Applications Nos. 550 and 551 of Dana Warman, PO Box 865, Buffalo, New York, for the installation of:

P.I.P. No 550
(Water Line)

Construct water line for Walnut Creek Subdivision, Phase II, Pt. IV, to include: 1440± lf of 8" pvc pipe, 2 fire hydrants, 4-8" line valves, 140± lf of 8" ductile iron pipe, and 1-8x8 tee. - Thomas Drive & Nottingham Lane

P.I.P. No. 551
(Pavement & Curbs)

Construct 2900± lf of 6" upright curb and island curb, and 1450± lf of 28 ft wide pavement for Walnut Creek Subdivision Phase II Pt IV - Thomas Drive & Nottingham Lane

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RPIP (P18)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning - Section 20 (B) of the Code of the Town of Lancaster, upon the application of **LEROY SICKAU, JR.**, President of **EXPERT AUTO GLASS, INC.**, for a Special Use Permit for an Auto Glass Retail Business on premises located at 6509 Transit Road, Building H in the Town of Lancaster, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 20 (B), entitled "Commercial Motor Service District" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **LEROY SICKAU, JR.**, President of Expert Auto Glass, Inc., prospective lessee of real property situate at 6509 Transit Road, Building H in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: *specialuseexpertautoglass202

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 2002 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on February 7, 2002, and

WHEREAS, **SCHICHTEL'S NURSERY, INC.**, 6745 Chestnut Ridge Road, Orchard Park, New York 14127 has submitted the lowest responsible bid in the amount of \$36,820 for furnishing said trees to the Town of Lancaster, and

WHEREAS, the General Crew Chief, by letter dated February 13, 2002 requests the Town Board to accept the bid of Schichtel's Nurseries, Inc., and

WHEREAS, by same letter, the General Crew Chief has requested that he be authorized to purchase additional trees at the 2002 bid prices from Schichtel's Nurseries, Inc. at his discretion for whatever other tree plantings the Town may incur in 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the bid of **SCHICHTEL'S NURSERIES, Inc.**, 6745 Chestnut Ridge Road, Orchard Park, New York 14127, being the lowest responsible bid in conformance with the specifications relating thereto, be and hereby is accepted, and

BE IT FURTHER

RESOLVED, that the General Crew Chief be and is hereby authorized to place orders with Schichtel's Nurseries, Inc. for those trees which the Town of Lancaster needs for its 2002 Tree Planting Program, and

BE IT FURTHER

RESOLVED, that the General Crew Chief be and is hereby authorized to purchase additional trees at the 2002 bid prices from Schichtel's Nurseries, Inc. at his discretion for whatever other tree plantings the Town may incur in 2002.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002
FILE: RDOTREES (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Federal Bureau of Justice Assistance, under their Bulletproof Vest Program, is soliciting grant applications from local municipalities; said grants to be awarded for reimbursement of the cost of new bullet-proof vests for sworn police officers, and

WHEREAS, the grants provide reimbursement for previously purchased vests, retroactively to March 1, 1999, and

WHEREAS, the Town of Lancaster Police Department, under union contract, has purchased 19 duty vests during the years 2000 and 2001, utilizing funds budgeted each of the years, at an approximate cost of \$8,603, and

WHEREAS, the grant will provide up to 50% reimbursement for monies already expended to purchase the 19 duty vests, and

WHEREAS, all applications must be completed electronically on-line.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to direct the Town of Lancaster grant writer, Sue Ann Barnes, of Grantmakers Advantage, to execute an on-line application to the Federal Bureau of Justice Assistance for this purpose.

BE IT FURTHER

RESOLVED, that the Supervisor is authorized to sign any awarded contracts resulting from this grant application.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File:bullet proof vest grant

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has requested the
creation of two (2) additional positions for the Town of Lancaster, namely Tutor, part-time.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby
authorized to complete and sign Form PO-17 (New Positions Duties Statement) to create two
(2) positions of Tutor, part time.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RPERS.CRE (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has duly posted a vacancy for the position of Working Crew Chief, which was vacated by the retirement of Ernest Gainey, and

WHEREAS, the Highway Superintendent, by letter dated January 29, 2002, has recommended the upgrading of Gerald Kocalski from Heavy Equipment Operator to the position of Working Crew Chief.

NOW, THEREFORE, BE IT

RESOLVED, that Gerald Kocalski, 67 Fifth Avenue, Lancaster, New York be and is hereby appointed to the position of Working Crew Chief in the Highway Department of the Town of Lancaster at a salary of \$24.63 per hour, in accordance with the CSEA White Collar Schedule of Salaries adopted by the Town Board January 1, 2002, effective February 25, 2002.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPLAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RPEHS.UPG (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated February 15, 2002, has requested permission for Lt. Riccardo Zuppelli and Officer William Kam to attend the Krav Maga Northeast Regional Training Center in California for Krav Maga Law Enforcement Instructor Certification, March 11, 2002 through March 15, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that Lt. Riccardo Zuppelli and Officer William Kam of the Town of Lancaster Police Department are hereby authorized to attend, while on duty, the Krav Maga Northeast Regional Training Center in California for Krav Maga Law Enforcement Instructor Certification, March 11, 2002 through March 15, 2002, and

BE IT FURTHER

RESOLVED, that the cost of round trip transportation, housing, meals and the cost of training for the law enforcement training certification will be paid by the Krav Maga North East Regional Training Center.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: RSEMMTGS (P8)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids to provide workstations to support the communications equipment being installed at the Town of Lancaster Police Department Dispatch Center, and

WHEREAS, bids were received and opened by the Town Clerk on February 8, 2002, and

WHEREAS, Chief Fowler by letter dated February 12, 2002 has recommended award of the bid to SCHOLASTIC FURNITURE, INC., being the lowest responsible bidder in the amount of \$40,100.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for workstations to support the communications equipment being installed at the Town of Lancaster Police Department Dispatch Center to SCHOLASTIC FURNITURE, INC., 280 Metro Park, Rochester, New York 14518 in the amount of \$40,100 being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Ferry Builders, Inc. has requested permission to erect an eight foot (8') chain link fence on Town owned property to the north of the pond at the Lorall Lake Subdivision, and

WHEREAS, the Town Board has reviewed the request and deems it in the public interest to permit the installation of such a fence;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes Ferry Builders, Inc. to enter the Town property and to install a fence on Town property on the north side of Lorall Lake, and

BE IT FURTHER

RESOLVED, that should it be necessary to remove the fence or should repairs become necessary, the expense will be incurred by Ferry Builders, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the New York State Office of Children and Family Services has awarded the County of Erie a grant for the period of January 1, 2002 to December 31, 2002 to fund the Safe Places Program in four suburban communities, which includes the Town of Lancaster, and

WHEREAS, the County of Erie has authorized the County Executive to enter into a contract with the Town of Lancaster for the amount of \$10,875.

NOW, THEREFORE, BE IT

RESOLVED that Robert H. Giza, Supervisor of the Town of Lancaster is authorized to enter into a contract with the County of Erie in the amount of \$10,875 to operate a Safe Places Program through the Town of Lancaster Youth Bureau in cooperation with the Depew-Lancaster Boys and Girls Club, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board is in the process of reviewing the financial details of a possible merger of the Village of Lancaster Police Department and the Town of Lancaster Police Department, and

WHEREAS, the Town Board now after due review and consideration deems it appropriate and in the public interest to engage the services of the Town's auditor, Fox and Company to cause a further review of the tax implications and potential savings of such a merger;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an agreement with Fox and Company to engage its services relating to a review, evaluation and report regarding the merger as before mentioned at a fee not to exceed \$5,000.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 12772 to Claim No. 13096 Inclusive

Total amount hereby authorized to be paid: \$1,472,795.36

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

TABLED PERMIT:

Pmt #	Applicant Name	Address	Structure
8711	Voicestream Wireless	0 Penora St	Er. Com. Tower

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	Structure
8818		Town of Lancaster IDA	4284 Walden Ave	Inst. Tank
8819		Donato Developers Inc	140 Nathan's Trl	Er. Dwlg.-Sin.
8820		Donato Developers Inc	219 Nathan's Trl	Er. Dwlg.-Sin.
8821		Graffiti Grafix & Signs	4891 Transit Rd	Er. Sign
8822		Kulback's Construction	3979 Walden Ave	Dem. Dwlg.
8823		L.J. Schneckengerger	40 Village View	Er. Res. Add.
8824		Capretto Enterprises	11 Hunters Dr	Er. Dwlg.-Sin.
8825		Cortese Brothers Inc	482 Pleasant View Dr	Er. Res. Add.
8826		Hill, James	736 Aurora St	Dem. Garage
8827		Lommer, James Sr	281 Lake Ave	Er. Pool-Abv Grnd (V/L)
8828		Furgala Nursing Home	1818 Como Park Blvd	Renovate Baths
8829		Hughesco	173 Pleasant View Dr	Er. Res. Add.
8830		Donato Developers	232 Nathan's Trl	Er. Dwlg.-Sin.
8831		Pyc, David	4 Running Brk Dr	Er. Dwlg.-Sin.
8832		Hughesco	3 Devonshire Ln	Er. Res. Add.
8833		Albert V. Randccio	25 Windcroft Ln	Er. Dwlg.-Sin.
8834		Capretto Enterprises	149 Nathan's Trl	Er. Dwlg.-Sin.
8835		Duro-Shed Inc	35 Steinfeldt Rd	Er. Shed
8836		Forbes Homes	27 Windcroft Ln	Er. Dwlg.-Sin.
8837		Wendy's	5191 Genesee St	Renovate Interior
8838		DDM Building Systems	91 Nichter Rd	Er. Pole Barn
8839		Essex Homes of WNY	26 Fox Trace	Er. Dwlg.-Sin.
8840		Essex Homes of WNY	16 Fox Trace	Er. Dwlg.-Sin.
8841		Marrano/Marc Equity	2 Apple Blossom Blvd	Er. Dwlg.-Sin.
8842		Barrett, Karen	23 Holland Ave	Dem. Garage (V/L)
8843		Nigel Enterprises	4 Village View	Er. Dwlg.-Sin.

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File Rbldg2

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Montour, on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster as lead agency pursuant to SEQRA has previously extended the time for preparation and filing of an Final Environmental Impact Statement (FEIS) for the proposed development of the northeast corner of Transit Road and William Street to February 22, 2002, and

WHEREAS, the Town Board after due review and consideration deems it appropriate to now extend the time for filing the FEIS to March 1, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the time in which to prepare and file the FEIS with respect to the aforementioned project for consideration by the MRC and the Town Board as lead agency is hereby extended to March 1, 2002, and

BE IF FURTHER

RESOLVED, that the developer shall provide the Town Clerk of the Town of Lancaster with three (3) additional copies plus the Town Clerk's official copy, and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to deliver a copy of the FEIS to the Lancaster Branch Library and the Depew Branch Library and shall also provide one copy as a three (3) hour loan copy for the public; the original to remain on file with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

February 25, 2002

File: *rwilliamandtransrt202d

COMMUNICATIONS & REPORTS:

139. Lee Chowanec to Planning Board, Town Board -
Comments regarding proposed site plan review of NEC Transit Road and William Street. DISPOSITION = Planning Committee
140. Gary S. Howell to Town Board, Planning Board -
Comments regarding proposed rezone of southwest corner of Harris Hill Road and Wehrle Drive. DISPOSITION = Planning Committee
141. Town Clerk to Town Board -
Transmittal of Clerk's Monthly Report for January 2002. DISPOSITION = Received and Filed
142. National Fuel Gas Distribution Corporation to Supervisor -
Notification that National Fuel employees are exempt from weather related driving bans. DISPOSITION = Received and Filed, Police Chief
143. NYS DOT to Town Board -
Notification of a design public hearing on February 28th at Alden Town Hall at 7:00 regarding the proposed reconstruction of Genesee Street at Town Line Road. DISPOSITION = Town Engineer
144. Mr. & Mrs. Albert T. Stutz to Supervisor -
Concerns and questions regarding a retention pond in the rear of their property at 63 Newberry Lane. DISPOSITION = Council Member Stempniak, Town Attorney
145. NYS DOT to Supervisor -
Transmittal of Design Report and notice of public hearing on February 28th, 4 PM and 8 PM at Alden Town Hall, and request for comments regarding proposed improvements at intersection of Genesee Street & Town Line Road. DISPOSITION = Town Engineer
146. Michael H. Ranzenhofer, Erie County Legislator to Chairman, LIDA -
Notification of Legislator Ranzenhofer's appointment as Chairman of the Erie County Legislature's Economic Development Committee. DISPOSITION = Received and Filed
147. Building Inspector to Joseph S. Juszczak -
Communication regarding property located on the north side of Pleasant View Drive west of Stony Road. DISPOSITION = Received and Filed
148. Town of Cheektowaga to Town Clerk -
Notification of proposed Transit Road Senior Community Apartments at 5074 Transit Road. DISPOSITION = Received and Filed
149. Erie County Chief Planner to Municipal Clerks -
Notification of rescheduled SEQR session for March 6, 2002; 6:30 PM. DISPOSITION = Received and Filed
150. Police Chief to Supervisor -
Request awarding of bid to Scholastic Furniture, Inc. for Console Workstations. DISPOSITION = Resolution 2/25/02
151. Town Line VFD to Town Clerk -
Request for change in membership roster. DISPOSITION = Resolution 2/25/02
152. Town Attorney to Town Board, Planning Board, Town Clerk, Building Inspector, and Town Engineer -
Notification of SEQR Review for Cross Creek Commerce Park to be held 6:30 PM February 25, 2002. DISPOSITION = Received and Filed

153. Town Clerk to Various News Media -
Advisement of SEQR Review for rezone application of RJF Development, J.V. -
Cross Creek Commerce Park. DISPOSITION = Received and Filed
154. General Crew Chief to Council Member Montour -
Request awarding of bid to Schichtel's Nursery, Inc. for purchase of trees for 2002
tree planting program. DISPOSITION = Resolution 2/25/02
155. Chief, Bowmansville VFA to Supervisor -
Request Town to petition Erie County Water Authority for additional fire hydrants
along Transit Road. DISPOSITION = Town Engineer
156. Dawn C. Kolis to Supervisor -
Request for "Deaf Child" and "Children at Play" signage on Windcroft Lane.
DISPOSITION = Police Chief
157. Association of Erie County Governments to Town Board -
Notice of meeting February 28 at 6:00 PM at The Lodge. DISPOSITION = Town
Board
158. Planning Department, Town of Amherst to Supervisor -
Invitation to participate in Amherst Bicentennial Comprehensive Plan interview on
February 28, 11:00 AM at Harlem Road Community Center. DISPOSITION =
Received and Filed
159. Office of Emergency Management to Town Board -
Minutes of January 15, 2002 meeting. DISPOSITION = Received and Filed
160. Police Chief to Supervisor -
Request approval for Lt. Zuppelli and Officer Kam to attend Krav Muga Law
Enforcement Instructor Certification Training in California on March 11 - 15, 2002 at
no cost to the Town. DISPOSITION = Resolution 2/25/02
161. Highway Superintendent to Town Board -
Request appointment of Gerald Kocalski as Working Crew Chief. DISPOSITION =
Resolution 2/25/02
162. Highway Superintendent to Town Board -
Request for a \$225,000 bond to purchase new equipment. DISPOSITION = Town
Attorney
163. Town of Marilla Town Clerk to Town Board -
Transmittal of proposed Local Law No. 3 & 4 for 2002 and notice of public hearing,
March 4, 2002 at 7:30 PM in the Marilla Town Hall. DISPOSITION = Received and
Filed
164. Planning Board to Town Board -
Recommendation to approve zoning change from CMS and R-1 to GB of northeast
corner of Transit Road and William Street. DISPOSITION = Received and Filed
165. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer,
Deputy Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held February 6, 2002.
DISPOSITION = Received and Filed
166. Supervisor to Town Board -
Request for authorization to seek two additional tutor slots from Erie County
Personnel. DISPOSITION = Resolution 2/25/02
167. Town Clerk to Town Board -
Transmittal of Special Use Permit application for Joe's Archery, 6 Woodgate Drive.
DISPOSITION = Town Attorney

168. Carl Klingenschmitt to Supervisor -

Comments and concerns about Children's Hospital and the Kaleida system.

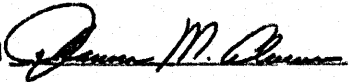
DISPOSITION = Received and Filed

169. NYSEG to Mayor/Supervisor -

Notice of safety outreach program "live-line" demonstrations. DISPOSITION =
Received and Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 9:39 P.M.

Signed 
Johanna M. Coleman, Town Clerk